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PTO/SB/31 (04-05)

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

0468FV.44178

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] August 10, 2005

Signature Sharanda Mozart

Typed or printed name Sharanda Mozart

In re Application of

Mosier, et al.

Application Number  
09/921,238

Filed  
August 2, 2001

For Transesterification Composition of Fatty Acid Esters, and Uses Thereof

Art Unit  
1751

Examiner  
Hamlin, Derrick G.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ \_\_\_\_\_

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 250

☒ A check in the amount of the fee is enclosed.

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☐ Payment by credit card. Form PTO-2038 is attached.

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250.00 DP

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record. 41,267  
Registration number \_\_\_\_\_

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Constance Gall Rhebergen  
Signature

Constance Gall Rhebergen  
Typed or printed name

(713) 221-3306 Direct

Telephone number

Aug 10 2005  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF MAILING  
37 CFR 1.8(a)

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Date of Deposit: Aug. 10, 2005 By: Sharanda Mozart  
Sharanda Mozart

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF  
**Mosier, et al.**

DOCKET NO. **0468FV.44178**

SERIAL NO.: **09/921,238**

EXAMINER: **Hamlin, Derrick G.**

FILED: **August 2, 2001**

GROUP ART UNIT: **1751**

**TITLE: Transesterification Composition of  
Fatty Acid Esters, and Uses Thereof**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Final Office Action dated February 10, 2005 finally rejecting claims 2, 4, 5, 9, 11-13, 16, 19-25, 32-38, 40, 44 and 46-48 in the above-identified application. Enclosed is a check for the fee of \$250 (small entity).

Respectfully submitted,

Constance Gall Rhebergen  
Reg. No. 41,267  
Attorney for Applicants

Date: Aug 10 2005  
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CERTIFICATE OF MAILING  
37 C.F.R. § 1.8

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Date of Deposit: Aug. 10, 2005

By: Sharanda Mozart  
Sharanda Mozart

Documents included with this certificate of mailing include the following:

- Postcard;
- Check for \$250 (for Notice of Appeal);
- Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (PTO/SB/31 and document);
- Pre-Appeal Brief Request for Review;
- Request for Extension of Time (**if required**); and
- Change of Correspondence Address (Application).